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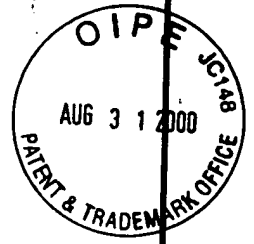
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|--|--|---|--|---|--|
| FORM PTO-1390 (REV 12-29-99) | | U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE | | ATTORNEY'S DOCKET NUMBER 98-1895 | |
| TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371 | | | | U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 09/623568 | |
| | | | | INTERNATIONAL APPLICATION NO. PCT/US99/04996 | INTERNATIONAL FILING DATE 05 MARCH 1999 |
| TITLE OF INVENTION USE OF A HUMAN HOMOLOG OF A NUCLEAR MIGRATION GENE FOR TREATMENT AND DIAGNOSIS OF CANCER | | | | | |
| APPLICANT(S) FOR DO/EO/US Barbara Miller, Stephen Osmani, Gary Clawson, Min-Ying Zhang and James Norris | | | | | |

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C.371(b) and PCT Articles 22 and 39(1).
4. A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. is transmitted herewith (required only if not transmitted by the International Bureau).
 - b. has been transmitted by the International Bureau.
 - c. is not required, as the application was filed in the United States Receiving Office (RO/US).
6. A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. Amendments to the claims of the International Application under PCT Article 19(35 U.S.C. 371(c)(3))
 - a. are transmitted herewith (required only if not transmitted by the International Bureau).
 - b. have been transmitted by the International Bureau.
 - c. have not been made; however, the time limit for making such amendments has NOT expired.
 - d. have not been made and will not be made.
8. A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11. to 16. below concern document(s) or information included:

11. An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. A **FIRST** preliminary amendment.
 A **SECOND** or **SUBSEQUENT** preliminary amendment.
14. A substitute specification.
15. A change of power of attorney and/or address letter.
16. Other items or information: Small Entity Statement, Revocation of Power of Attorney, Express Mail Certificate, Return Receipt Postcard



U.S. APPLICATION NO. (if U.S. Patent 37 CFR 1.51) **09/623568**

INTERNATIONAL APPLICATION NO. **PCT/US99/04996**

ATTORNEY'S DOCKET NUMBER **98-1895**

17. The following fees are submitted:

BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)) :

Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO \$970.00

International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO. \$840.00

International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$690.00

International preliminary examination fee paid to USPTO (37 CFR 1.482) but all claims did not satisfy provisions of PCT Article 33(1)-(4) \$670.00

International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(1)-(4) \$96.00

CALCULATIONS PTO USE ONLY

ENTER APPROPRIATE BASIC FEE AMOUNT =

\$ 670.00

Surcharge of \$130.00 for furnishing the oath or declaration later than 20 30 months from the earliest claimed priority date (37 CFR 1.492(e)).

\$ -----

| CLAIMS | NUMBER FILED | NUMBER EXTRA | RATE | |
|---|--------------|--------------|------------|-----------|
| Total claims | 21 - 20 = | 1 | X \$18.00 | \$ 18.00 |
| Independent claims | 10 - 3 = | 7 | X \$78.00 | \$ 546.00 |
| MULTIPLE DEPENDENT CLAIM(S) (if applicable) | 1 | | + \$260.00 | \$ 260.00 |

TOTAL OF ABOVE CALCULATIONS =

\$ 494.00

Reduction of 1/2 for filing by small entity, if applicable. A Small Entity Statement must also be filed (Note 37 CFR 1.9, 1.27, 1.28).

\$ 747.00

SUBTOTAL =

\$ 747.00

Processing fee of \$130.00 for furnishing the English translation later than 20 30 months from the earliest claimed priority date (37 CFR 1.492(f)).

\$ -----

TOTAL NATIONAL FEE =

\$ -----

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property

\$ -----

TOTAL FEES ENCLOSED =


\$ 747.00

| | |
|------------------------|----|
| Amount to be refunded: | \$ |
| charged: | \$ |

- a. A check in the amount of \$ _____ to cover the above fees is enclosed.
- b. Please charge my Deposit Account No. 16-1133 in the amount of \$ 747.00 to cover the above fees. A duplicate copy of this sheet is enclosed.
- c. The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 16-1133. A duplicate copy of this sheet is enclosed.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:
 Thomas J. Monahan
 Intellectual Property Office
 The Pennsylvania State University
 113 Technology Center
 University Park, Pennsylvania 16802-7000
 United States of America


 SIGNATURE
 Thomas J. Monahan
 NAME
 29,835
 REGISTRATION NUMBER

AUG 2000

BEST AVAILABLE COPY

Practitioner's Docket No.: 98-1895

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: B. MILLER, et al.

Serial No.:

Group No.:

Filed: August 31, 2000

Examiner:

For: USE OF HUMAN HOMOLOG OF A NUCLEAR MIGRATION GENE FOR
TREATMENT AND DIAGNOSIS OF CANCER

Assistant Commissioner for Patents
Washington D.C. 20231

EXPRESS MAIL CERTIFICATE

"Express Mail" label number: EL607418209US

Date of Deposit: August 31, 2000

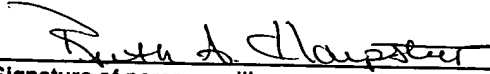
I hereby state that the following *attached* paper or fee:

- 1 Transmittal Letter to the US Designated/Elected Office (in duplicate)
- 1 Small Entity Statement
- 2 Executed Declarations
- 1 Return Receipt Postcard

Is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10, on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Ruth A. Harpster

Typed or printed name of person mailing paper or fee


Signature of person mailing paper or fee

NOTE: The label number need not be placed on each page. It should, however, be placed on the first page of each separate document, such as, a new application, amendment, assignment, and transmittal letter for a fee, along with the certificate of mailing by "Express Mail". Although the label number may be on checks, such a practice is not required. In order not to deface formal drawings, it is suggested that the label number be placed on the back of each formal drawing or the drawings be accompanied by a set of informal drawings on which the label is placed.